

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ISIAH TAYLOR,
Plaintiff,

v.

GENEVIEVE CRAGGS, et al.,
Defendants.

Case No. 2:24-cv-00496-APG-EJY

ORDER

Plaintiff, an inmate incarcerated in High Desert State Prison, submitted a Civil Rights Complaint under 42 U.S.C. § 1983 on March 13, 2024. ECF No. 1-1. A few days later, Plaintiff filed Motions for Appointment of Counsel (ECF No. 3) and Request for Admissions (ECF No. 4). Plaintiff neither paid the \$405 filing fee nor filed an application to proceed *in forma pauperis* and, therefore, has not commenced a civil action.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to commence a civil action may apply to proceed *in forma pauperis*, which allows the inmate to file the civil action without prepaying the full \$405 filing fee. To apply for *in forma pauperis* status Plaintiff must submit **three** required documents to the Court. These include: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (*i.e.* pages 1 through 3 with the inmate's two signatures on page 3), (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (*i.e.* page 4 of this Court's approved form), and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. In the absence of a complete *in forma pauperis* application or payment of the filing fee, this case has not commenced and his motions are moot.

Accordingly, IT IS HEREBY ORDERED that on or before **May 21, 2024**, Plaintiff must either pay the \$405 filing fee for a civil action or file: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court's approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

1 IT IS FURTHER ORDERED that the Clerk of the Court **must** send Plaintiff the approved
2 form application to proceed *in forma pauperis* for inmate along with the information and instructions
3 for filing the same.

4 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),
5 but will not file it at this time.

6 IT IS FURTHER ORDERED that Plaintiff's Motions for Appointment of Counsel (ECF No.
7 3) and Request for Admissions (ECF No. 4) are DENIED as moot and without prejudice.

8 IT IS FURTHER ORDERED that failure to either pay the \$405 filing fee or file a complete
9 application to proceed *in forma pauperis* on or before **May 21, 2024**, will result in a recommendation
10 to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his
11 case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a
12 complete application to proceed *in forma pauperis* or pay the required filing fee.

13 DATED this 23d day of March, 2024.

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15 ELAYNA J. YOUCHAK
16 UNITED STATES MAGISTRATE JUDGE
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